

February 24, 2004

The Honorable Joan Cadden
Chair
Subcommittee on Public Safety and Administration
Lowe House Office Building, Room 213
Annapolis, Maryland 21401 – 1991

RE: Response to Commission Effectiveness

Dear Delegate Cadden:

The Maryland Commission on Correctional Standards continues to be a guiding force for the State's adult places of confinement and community corrections programs. Through leadership, partnership, and advocating the use of standards as a management tool, the Commission strives to make Maryland's correctional system a model for the nation.

The Commission has effectively conducted compliance audits. In instances where deficiencies were identified, the Commission has followed up until the matter was corrected and compliance attained. In a few instances, capital funding has delayed a facility's ability to correct a deficiency. These facilities have been monitored until compliance is achieved.

In addition to the routine audits and monitoring visits, the Commission has worked in other ways to effectively ensure compliance. Commission staff have provided training to management and supervisory staff in the standards and the audit process. Commission members have provided technical assistance to facilities where they see the need. The result of these efforts has been an increase in compliance rates and the establishment of benchmarks upon which correctional facilities can soundly operate.

The Commission has considered the legislative branch as a partner in helping it achieve its goal. Having heard the concerns expressed by members of the House Subcommittee on Public Safety and Administration last year, the Commission moved ahead on several fronts, while continuing to perform its mandated responsibilities. These efforts include a review of the standards, a reconstitution of the legislatively-mandated advisory boards, and the appointment of a member with experience in the medical field.

The review of the standards has begun with Commission staff doing preliminary research on the existing standards. This review will take into consideration changes in the field, nationally-accepted standards of practice, and modifications in the law. These findings will be presented over the course of several meetings to the full Commission.

To assist in this review, the Advisory Boards for Adult Correctional Institutions, Adult Detention Centers, and Adult Community Correctional Facilities have been reconstituted. The Advisory Boards are comprised of managing officials from around the State and are chaired by a Commission member. The Boards assist the Commission by lending their expertise and experience, thereby making any proposed changes more meaningful. In addition, their involvement in the process allows the managing officers to take ownership of the standards. A Technical Assistance Committee, comprised of individuals working in allied agencies, will also assist in the review.

The Commission members have recognized the importance of having a person with experience in the mental health or medical field serve on the Commission. We will seek to expand the membership of the Commission to include such a member during the 2005 Legislative Session.

The Commission discussed the matter of intermediate sanctions at several meetings. The Attorney General's Office determined that such sanctions are not within the scope of the Commission's authority. For now, the Commission has adopted a policy of requiring the managing official of any such facility to appear before them to account for such noncompliance. The Commission will consider the proposed statutory changes at its meeting on March 4, 2004. I look forward to their recommendations on this matter.

Sincerely,

Thomas G. Fitzgerald
Acting Executive Director

c: Mary Ann Saar, Secretary
G. Lawrence Franklin, Deputy Secretary for Administration
Mary L. Livers, Ph.D., Deputy Secretary for Operations
Walter B. Ridley, MCCS Chairperson
Rhea Harris, Legislative Affairs Director
Diane Lucas, DBM Budget Analyst
William M. Honablew, Jr., Legislative Analyst
Susan D. Dooley, Financial Services Director